

FILED
JEANNE A. NAUGHTON, CLERK

MAY 30 2019

U.S. BANKRUPTCY COURT
NEWARK, N.J.
BY *[Signature]* DEPUTY

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

**NEW ENGLAND MOTOR FREIGHT,
INC., *et al.*,**

Debtors.

Case No.: 19-12809 (JKS)

Judge: Sherwood

**ORDER REGARDING COMMITTEE'S
OBJECTION TO THE VALIDITY OF
WELLS FARGO EQUIPMENT FINANCE INC.'S
SECURITY INTEREST IN SIXTEEN (16) TRAILERS**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

Dated: May 30, 2019

[Signature]
HONORABLE JOHN K. SHERWOOD
UNITED STATES BANKRUPTCY JUDGE

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Debtors: New England Motor Freight, Inc., *et al.*
Case No.: 19-12809 (JKS)
Caption of Order: **Order Regarding Committee's Objection to the Validity of Wells Fargo Equipment Finance, Inc.'s Security Interest in Sixteen (16) Trailers**

WHEREAS:

1. On May 16, 2019, the Court entered an Order (A) Authorizing and Approving (1) the Sale of Substantially all of Debtors' Eastern Freight Ways, Inc. and Carrier Industries, Inc.'s Assets and Certain Assets of New England Motor Freight, Inc. Free and Clear of all Liens, Claims, Encumbrances and Other Interests; and (2) the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith; and (B) Granting Related Relief (the "Sale Order") [Doc. 583]. Pursuant to the Sale Order, the Court reserved jurisdiction with respect to a \$157,804.28 principal loan balance on sixteen (16) Great Dane trailers (the "Trailers") owned by Debtor, Eastern Freight Ways, Inc., and financed by Wells Fargo Equipment Finance, Inc. ("Wells Fargo"). On May 29, 2019, a hearing was conducted regarding the distribution of the sale proceeds realized from the sale of the Trailers.

Having reviewed the pleadings and having heard the arguments of counsel, and for the reasons set forth on the record at the hearing:

It is hereby **ORDERED**:

1. Wells Fargo's liens on the Trailers were valid as of the Debtors' petition date.
2. The Debtor shall distribute the sale proceeds of the Trailers to Wells Fargo up to the amount due to Wells Fargo under its loan to the Debtors.